



MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 733
April 19, 2018

Meeting minutes of the New York Thruway Authority, held in the conference room at 290 Elwood Davis Drive, Syracuse, New York.

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board. The meeting began approximately at 11:08 a.m.

Member of the Board attending in Syracuse:
Joanne M. Mahoney, Chair

Board Members attending in Albany are:
Robert Megna, Vice-Chair
Jose Holguin-Veras, Ph.D.

Board Member attending in Tarrytown is:
George Miranda, Board Member

Constituting a full majority of the members of the Thruway Authority Board.

Board Members Stephen Saland and Don Rice were excused.

Staff Present in Syracuse:
Matthew J. Driscoll, Acting Executive Director
Jennifer Givner, Director of Media Relations & Communications
Karen Wilson, Information Technology Specialist
Kathleen LeFave, Board Secretary

Staff Present in Albany:
Matt Howard, Treasurer and Chief Financial Officer
Joseph Igoe, Assistant Counsel
Richard Lee, Chief Engineer
Kim McKinney, Chief Technology Officer
Mark Hixson, Acting Director of Maintenance & Operations
Harry Lennon, Director of Internal Audit
John Barr, Acting Director of Administrative Services
Eric Christensen, Director of Operations

Kevin Allen, Director of Purchasing
Jonathan Dougherty, Assistant Public Information Officer

Staff Present in Tarrytown:

Jamey Barbas, Project Manager for the NNYB
Khurram Saeed, Director Communication New NY Bridge

Also in attendance:

Matthew Trapasso, Senior Policy Advisor for Transportation
Jerry Olbrich, OGS Media Services Center
Shawn Fitzgerald, OGS Media Services Center

Chair Mahoney called the meeting of the Thruway Authority Board to order.

Ms. LeFave recorded the minutes as contained herein (public notice of the meeting had been given).

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

There were no comments made during the period.

Item 1 by Kevin Allen (Appendix A)

Report on Procurement Contracts and Other Agreements Executed by the Acting Executive Director during the Period January 1, 2018 through March 31, 2018

Chair Mahoney invited Mr. Allen to present the report of procurement contracts to the Board.

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Acting Executive Director during the quarter ending March 31, 2018.

Director Driscoll – updated the Board on the following:

Prior to the start of Item 2 Director Driscoll wanted to make two acknowledgements and update the Board on the following:

First, he wanted to acknowledge our former Chief of Staff Adam Wood for the terrific job throughout the course of his tenure at the Authority. Adam had a high degree of professionalism and due diligence along with his dedication to the position. Director Driscoll stated that Adam was a real role model for the people and wanted to thank him for his service to the Authority.

Second, the Director wanted to acknowledge Kathy LeFave's new role within the organization as Director of Human Resource Management and wanted to remind the Board Members that she will continue her role as the Board Secretary.

Third, the Acting Director provided the Board Members with an update on our 27 service areas across

the state stating that we recently released a request for expressions of interest to redevelop them across our system. The Director also mentioned that the organization released a customer survey and is encouraging all of our customers to participate.

Item 2 by Chair Mahoney (Appendix B)
Approval of the Minutes of Meeting No 732

Chair Mahoney asked for a motion to approve the minutes of the previous meeting.

Upon motion duly made and seconded, the Board approved the minutes of Meeting No. 732 held on March 26, 2018, which was made available to the Board Members as part of the Agenda.

Item 3 by Matt Howard (Appendix C)
Financial Report for February 2018

The financial reports were advanced to the Board at the recommendation of the Finance Committee.

Upon motion duly made and seconded, the Board accepted the Financial Report for February 2018.

Item 4 by Mark Hixson (Appendix D)
Authorizing the Acting Executive Director to Execute an Agreement with Paymentech, LLC

Mr. Hixson presented the resolution seeking the authorization from the Board for the Acting Executive Director to execute an agreement with Paymentech, LLC. This item will allow the Authority to process electronic toll payments related to E-ZPass and Tolls by Mail.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board authorized the execution of the Paymentech, LLC agreement and adopted the following resolution:

RESOLUTION NO.6172
AUTHORIZING THE ACTING EXECUTIVE DIRECTOR TO
EXECUTE AN AGREEMENT WITH PAYMENTECH, LLC

RESOLVED, that the Acting Executive Director be, and he hereby is, authorized to exercise an agreement with Paymentech, LLC to process electronic payment transactions (“Agreement”), and be it further

RESOLVED, that the monetary cap of the Agreement shall not exceed \$274,000,000 and be it further

RESOLVED, that the Authority’s Chief Financial Officer be, and hereby is, authorized to charge expenditures for goods and services

provided pursuant to such Agreement to the Operating Budget; and be it further

RESOLVED, that the Acting Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement including increase the maximum amount payable, amend the provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

Item 5 by Mark Hixson (Appendix E)
Authorizing the Canal Society of New York State to Operate the Port Byron Old Erie Canal Heritage Park at Milepost 308.30 Eastbound

Mark Hixson presented the resolution seeking authorization for the Canal Society of New York State to operate the Port Byron Old Erie Canal Heritage Park at Milepost 308.30 Eastbound. The Canal Society will operate the facility and providing staffing for the visitor's center, historical buildings, on-site tour guides, staff uniforms and cleaning services.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board approved and adopted the following resolution:

RESOLUTION NO.6173

**AUTHORIZING THE CANAL SOCIETY OF NEW YORK STATE
TO OPERATE THE PORT BYRON OLD ERIE CANAL HERITAGE
PARK**

RESOLVED, that a contract between the Thruway Authority ("NYSTA") and Canal Society of New York State to operate the Port Byron Old Erie Canal Heritage Park on the terms and conditions contained in the agenda item, and on other such terms as the Acting Executive Director, the Director of Maintenance and Operations and the General Counsel determine to be in the best interests of NYSTA, consistent with this item, be, and the same hereby are, authorized, and be it further

RESOLVED, that the Acting Executive Director or his designee be, and he hereby is, authorized to execute such a contract and to take all actions necessary to implement the operation of the Port Byron Old Erie Canal Heritage Park, including, but not limited to,

execution of any documentation that may be needed in addition to the contract, and be it further

RESOLVED, that the Acting Executive Director, or his designee, be, and hereby is, authorized to exercise all powers reserved to NYSTA under the contract authorized hereby, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

Item 6 by Rich Lee (Appendix F)
Authorizing the Execution of Two Engineering Agreements (D214653 and D214654 with Two Firms)

Mr. Lee presented the resolution seeking authorization for the execution of two Engineering Agreements (D214653 and D214654) with two firms.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board authorized the execution of the two agreements and adopted the following resolution:

RESOLUTION NO.6174

AUTHORIZING THE EXECUTION OF TWO ENGINEERING AGREEMENTS (D214653 and D214654) WITH TWO FIRMS

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute two engineering agreements (D214653 and D214654) with the two firms listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through these agreements, with the Maximum Amount Payable of each agreement not to exceed the amount shown in the attached Exhibit A, and such agreements shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreements, manage and administer the agreements, amend the provisions of the agreements consistent with the terms of this Item and in accordance with the 2018 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority, and be it further

RESOLVED, that information relating to each agreement be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of each agreement, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

Item 7 by Rich Lee (Appendix G)
Authorizing Additional Funding for the Award of TAA 18-4A (D214487), Modifications to the Data Systems Building in Albany Division

Mr. Lee presented the resolution seeking authorization for additional funding for the award of TAA 18-4A (D214487), modifications to the Data Systems Building in Albany Division. The Data Systems Building is used as a disaster recovery center for all of the Authority's computer systems. Currently, the building's electrical and HVAC systems cannot sufficiently support all of the new and planned servers and other computer equipment that has been/will be placed in the building that is needed to support all of Thruway operations.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board approved the additional funding for the award of TAA 18-04A (D214487). and adopted the following resolution:

RESOLUTION NO.6175

**AUTHORIZING ADDITIONAL FUNDING FOR THE AWARD OF
TAA 18-4A (D214487), MODIFICATIONS TO THE DATA
SYSTEMS BUILDING IN ALBANY DIVISION**

RESOLVED, that additional funding for the award of TAA 18-4A (D214487), Modifications to the Data Systems Building in Albany Division, to U.W. Marx, Inc. for its low bid of \$882,935 be, and the same hereby is authorized, and be it further

RESOLVED, that an additional sum of \$184,005 be, and the same hereby is, allocated toward contract TAA 18-4A (Item BO544.1) from bid savings and other adjustments made to the 2018 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or her designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of this Item and

other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

Item 8 by Jamey Barbas (Appendix H)

Authorizing the Acting Executive Director or his Designee to Utilize Previously Approved Contingency Related to New NY Bridge Project

Project Director Jamey Barbas presented the resolution seeking the approval of the Board for the Acting Executive Director or his designee to utilize previously approved contingency related to New NY Bridge Project.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board authorized the appointment and adopted the following resolution:

RESOLUTION NO.6176

**AUTHORIZING THE ACTING EXECUTIVE DIRECTOR OR HIS
DESIGNEE TO UTILIZE PREVIOUSLY APPROVED
CONTINGENCY FUNDS RELATED TO NEW NY BRIDGE
PROJECT**

RESOLVED, that the Acting Executive Director, or his designee, be, and hereby is, authorized to approve, within the previously approved and authorized total Project budget for the New NY Bridge Project, necessary contingent work for the New NY Bridge Project pursuant to the design-build contract (“Contract”) between the Authority and Tappan Zee Constructors, LLC; provided that the aggregate of such contingent work items shall not exceed 10% of the Contract Price as of the date of this resolution, and further provided that the Acting Executive Director may exceed such limits of authority set forth herein if he reasonably determines that the projected delay in receiving consent of the Board would expose the Authority to any material increase in liabilities (subject to notice of such circumstance and award of contingent work being given to the Board as soon as reasonably practicable); and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

GENERAL PUBLIC COMMENT PERIOD

There were no comments made during this period

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 11:27 a.m.



Kathleen LeFave
Board Secretary